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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NAJJAR, SALEH

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 04/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/483,172

Applicant(s)

WELSH, DEBORAH TATE

Examiner

Saleh Najjar

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. This action is responsive to the application filed on January 14, 2000. Claims 1-20 are pending. Claims 1-20 represent a method, program and apparatus for a pet registration, search and retrieval.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Shorrock et al., U.S. Patent No. 6,283,065.

Shorrock teaches the invention as claimed including a animal collar that identifies a pet and allows a person to retrieve information on that pet from a database (see abstract).

As to claim 1, Shorrock teaches a method of locating lost pets comprising the steps of:

prompting pet owners to provide pet information relating to their pets and contact information for the pet owners, storing the pet information and the contact information in a computer-readable memory accessible by a host computer;(see figs. 1-19; col. 8; 13, Shorrock discloses that a pet owner can register pet information in a database);

storing the pet information and the contact information in a computer-readable memory accessible by a host computer; prompting a person who finds a lost pet to access the host computer via a communications network and to enter lost pet

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information relating to the lost pet; comparing in the host computer the lost pet information entered by the person who found the pet to the pet information provided by the pet owners in an attempt to find a match; and if a match is found, providing the person who found the lost pet with the contact information for the owner of the lost pet (see figs. 1-19; col. 13, Shorrock discloses that after registering the pet collar, a person who found the pet could enter the collar information and retrieve owner contact information).

As to claim 2, Shorrock teaches the method as set forth in claim 1, wherein the pet information provided by the pet owners for each pet includes an assigned set of digits corresponding to the pet (see col. 7-9, Shorrock discloses that the pet collar is assigned a set of digits).

As to claim 3, Shorrock teaches the method as set forth in claim 2, wherein the assigned set of digits for each pet are printed on a tag that is worn by the pet (see col. 8).

As to claim 4, Shorrock teaches the method as set forth in claim 3, the lost pet information entered by the person who found the lost pet including the assigned set of digits on the tag (see col. 8).

As to claim 5, Shorrock teaches the method as set forth in claim 4, the assigned set of digits including a rabies tag number printed on a rabies tag (see col. 6, Shorrock discloses that the pet collar could be a rabies collar).

As to claim 6, Shorrock teaches the method as set forth in claim 1, the communications network including the Internet (see col. 6-8).

As to claim 7, Shorrock teaches the method as set forth in claim 1, the pet information being information selected from the group consisting of a veterinarian's name for the pet, the veterinarian's phone number, a licensing agency, a number from a rabies tag for the pet, a year that the pet was vaccinated, an indication of a pet type for the pet, an indication of a breed of the pet, a color of the pet, a date the pet was found, and a location where the pet was found (see col. 6-13).

As to claim 8, Shorrock teaches the method as set forth in claim 1, the contact information being information selected from the group consisting of the pet owner's

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name, the pet owner's address, the pet owner's telephone number, a veterinarian for the pet, the veterinarian's address, and the veterinarian's phone number (see col. 6-13).

Claims 9-20 do not teach or define any new limitations above claims 1-8 and therefore are rejected for similar reasons.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Automated pet notice system by Adler, U.S. Patent No. 6,401,095.
- Lost pet notification system by Skelton et al., U.S. Patent No. 6,067,018.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is (703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.



Saleh Najjar

Primary Examiner / Art Unit 2157